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JUN 30 2005

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUL 11 2005

Thomas M. Gould, Clerk  
U. S. District Court  
W. D. OF TN, Memphis

DOCKET NO. 1673

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JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUL - 8 2005

JUN 14 2005

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAFILED  
CLERK'S OFFICE

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE CIRCULAR THERMOSTAT ANTITRUST LITIGATION**

*Vincent Fagan, et al. v. Honeywell International, Inc.*, D. Massachusetts, C.A. No. 1:05-10119  
*John McKinnon v. Honeywell International, Inc.*, D. Maine, C.A. No. 2:05-22  
*R. Sadler Bailey v. Honeywell International, Inc.*, W.D. Tennessee, C.A. No. 2:05-2063  
*Alfred T. Wright v. Honeywell International, Inc.*, D. Vermont, C.A. No. 1:05-1

**CONDITIONAL TRANSFER ORDER (CTO-1)**

On May 3, 2005, the Panel transferred one civil action to the United States District Court for the Northern District of California for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. With the consent of that court, all such actions have been assigned to the Honorable William H. Alsup.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Northern District of California and assigned to Judge Alsup.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Northern District of California for the reasons stated in the order of May 3, 2005, \_\_\_ F.Supp. 2d \_\_\_ (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable William H. Alsup.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of California. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.

JUN 30 2005

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Michael J. Beck  
 Michael J. Beck  
 Clerk of the Panel

I hereby certify that the enclosed statement is a true and correct copy of the original on file in my office.  
 ATTEST:

RICHARD W. WIEKING  
 Clerk, U.S. District Court  
 Northern District of California

By R. Wiek  
 Deputy Clerk

Date 7/8/05

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## Notice of Distribution

This notice confirms a copy of the document docketed as number 32 in case 2:05-CV-02063 was distributed by fax, mail, or direct printing on July 12, 2005 to the parties listed.

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Jimmy Moore  
CIRCUIT COURT, 30TH JUDICIAL DISTRICT  
140 Adams Ave.  
Rm. 224  
Memphis, TN 38103

Angela Thaler Wilks  
O'MELVENY & MYERS LLP  
1625 Eye Street, NW  
Washington, DC 20006--400

Ian Simmons  
O'MELVENY & MYERS LLP  
1625 Eye Street, NW  
Washington, DC 20006--400

Richard G. Parker  
O'MELVENY & MYERS LLP  
1625 Eye Street, NW  
Washington, DC 20006--400

Daniel J. Mogin  
THE MOGIN LAW FIRM, P.C.  
110 Juniper Street  
San Diego, CA 92101--150

J. Brook Lathram  
BURCH PORTER & JOHNSON  
130 N. Court Avenue  
Memphis, TN 38103

Sidney Gilreath  
GILREATH & ASSOCIATES  
550 Main Avenue  
Ste. 600  
Knoxville, TN 37902

R. Christopher Gilreath  
GILREATH & ASSOCIATES  
6256 Poplar Ave.  
Memphis, TN 38119

Courtney E. Ellis  
BURCH PORTER & JOHNSON  
130 N. Court Avenue  
Memphis, TN 38103

Robin Brewer  
BONSIGNORE AND BREWER  
23 Forest Street  
Medford, MA 02155

Benjamin G. Bradshaw  
O'MELVENY & MYERS LLP  
1625 Eye Street, NW  
Washington, DC 20006--400

Robert J. Bonsignore  
BONSIGNORE AND BREWER  
23 Forest Street  
Medford, MA 02155

Jill S. Abrams  
ABBEY GARDY, LLP  
212 East 39th Street  
New York, NY 10016

Honorable Bernice Donald  
US DISTRICT COURT